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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 38163-0000

Applicant: Jeffrey S. RUBIN *et al.* Confirmation No.: 9287  
Appl. No.: 08/455,975 Examiner: C. Saoud  
Filing Date: May 31, 1995 Art Unit: 1647  
Title: METHOD OF STIMULATING EPITHELIAL CELLS USING  
KERATINOCYTE GROWTH FACTOR (KGF) AND METHOD  
OF INHIBITING KGF ACTIVITY

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on the attached Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of each of the listed documents is being submitted to comply with the provisions of 37 C.F.R. §1.97-§1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609. Examiner Saoud is invited to contact the undersigned to discuss any issue related to this Information Disclosure Statement.

The Commissioner is authorized to charge any fees required to Deposit Account No. 08-1641, referencing Docket No. 38163-0010.

Respectfully submitted,

Date: Sept 15, 2003

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PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2
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**Complete if Known**

Application Number	08/455,975
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Filing Date	May 31, 1995
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First Named Inventor	Jeffrey S. RUBIN et al.
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Group Art Unit	1647
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Examiner Name	C. Saoud
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Attorney Docket Number	38163-0010
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

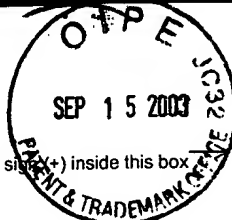
[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

### Complete if Known

Application Number	08/455,975
Filing Date	May 31, 1995
First Named Inventor	Jeffrey S. RUBIN et al.
Group Art Unit	1647
Examiner Name	C. Saoud
Attorney Docket Number	38163-0010

### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	D03	RALPH J. PANOS, "Keratinocyte Growth Factor and Hepatocyte Growth Factor/Scatter Factor Are Heparin-binding Growth Factors for Alveolar Type II Cells in Fibroblast-conditioned Medium", The Journal of Clinical Investigation, Inc., August 1993, pp. 969-977, Vol. 92	
	D04	THOMAS R. ULICH et al., "Keratinocyte Growth Factor Is a Growth Factor for Type II Pneumocytes In Vivo", J. Clin. Invest., March 1994, pp. 1298-1306, Vol. 93	
	D05	Decision of Technical Board of Appeal 3.4.1, dated January 21, 1992, T 689/90-3.4.1; Applicant: Raychem Corporation; Headword: Event detector/RAYCHEM; Article: 78(1)(b), 123(2) EPC; Keyword: "Amendments based on cross-reference document identified in description"	
	D06	Decision of Technical Board of Appeal 3.3.4 dated April 8, 1997, T 207/94-3.3.4; Patent proprietor/Respondent: Biogen, Inc.; Opponent/Appellant: Schering AG; Headword: Human beta-interferon/BIOGEN; Article 87, 88, 54, 56 EPC; Keyword: "Priority-(yes)"-Novelty-(yes)"-"Inventive step-(no)"	
	D07	Opposition Statement in Support of Opposition by Chiron Corporation to European Patent No. 0555205 in the Names of RUBIN et al., dated August 20, 2001, Deriving from European Patent Applic. No. 9093253.4 : Title: DNA Encoding A Growth Factor Specific for Epithelial Cells; date of Publication of Grant: 29.11.2000	
	D08	Proprietor: Jeffrey S. RUBIN et al., Opponent: Chiron Corporation; Opposition to EP 0 555 205 B1; Application No. 90 903 253.4-2404; dated August 22, 2002; Ref. No. EP 7386-03196/tc; Response to Opposition Brief dated August 20, 2001 and the belatedly filed supplementary statement of December 18, 2001	
	D09	Applicant: Jeffrey S. RUBIN et al., dated September 5, 2001, Ref.: EP 7386, Applic. No./Patent No.: 90903253.4-2405/0555205; Communication of a Notice of Opposition; EPO Form 2316 04.94	
	D10	Opposition by Chiron Corporation to EP-B 0555205 Deriving from European Patent Applic. No. 9093253.4-2110 RUBIN et al.; dated December 18, 2001, Declaration By Dr. Judith Abraham	
	D11	Applicant: Jeffrey S. RUBIN et al., dated October 2, 2002, Ref.: EP 7386, Applic. No./Patent No.: 90903253.4-2405/0555205; Summons to Attend Oral Proceedings Pursuant to Rule 71(1) EPC; EPO Form 2310.1PH 11.00	
	D12	Applicant: Jeffrey S. RUBIN et al., dated January 29, 2003, Ref.: EP 7386, Applic. No./Patent No.: 90903253.4-2405/0555205; Decision to Discontinue the Opposition Proceeding; EPO Form 2352 02.99	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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